



Regional Airport Planning Committee

June 11, 2008

TO: Regional Airport Planning Committee
FROM: Staff of the Regional Airport Planning Committee
SUBJECT: Staff Recommendation Regarding Amending Regional Airport Planning Committee's MOU to Include Representatives of Stockton, Monterey and Sacramento Airports
(For Board consideration on June 27, 2008)

Recommendation

Based on direction from the Committee, the staff recommends that RAPC amend its Memorandum of Understanding (MOU) to provide for three new members to the Committee—one appointed by the Sacramento County Board of Supervisors, one appointed by the San Joaquin County Board of Supervisors and one appointed by the Monterey Peninsula Airport Board of Directors. Staff recommends that the Committee include the following in the amendment to RAPC's MOU:

1. The Sacramento County Board of Supervisors, the San Joaquin County Board of Supervisors and the Monterey Peninsula Airport Board of Directors shall be requested to each appoint a member of their respective Boards to serve on RAPC;
2. Increase RAPC's membership to 22 members;
3. The three new members would initially serve as ex-officio, non-voting members;
4. Due to the difficulty of traveling from outside of the nine-county Bay Area region and the need for RAPC to be able to achieve a quorum to conduct meetings and vote on items, the number of members needed for a RAPC quorum would not change from a simple majority of 19;
5. Due to the difficulty of traveling from outside of the nine-county Bay Area region, the new members would be permitted to appoint an alternate either from their respective Boards, or could appoint the Director from the airport within their region—Sacramento International, Stockton Metropolitan and Monterey Peninsula Airports; and
6. San Francisco International Airport, Oakland International Airport and Mineta-San Jose International Airport shall have the option of appointing an executive level staff person as an alternate to serve when the primary member is unable to attend a Committee meeting.

Background

At the January 25, 2008 RAPC meeting, staff presented a proposal to amend the Committee's Memorandum of Understanding (MOU) to expand RAPC membership to include representatives from Sacramento, San Joaquin and Monterey Counties. The staff described several reasons for adding three representatives from outside of the nine-county Bay Area. The residents of all three counties use Bay Area airports at varying levels, with significant usage by San Joaquin County and Monterey County residents. Based on this usage, San Joaquin and Monterey Counties are both captured within the Bay Area airports catchment areas and will need to be part of any solution designed to address projected congestion at the Bay Area's main commercial airports. Additionally, all three counties have commercial airports, Sacramento International Airport being the most mature and providing a significantly higher level of service than either Stockton Metropolitan or Monterey Peninsula Airports. Finally, the inclusion of these counties recognizes that the economies, air space, travel patterns and housing trends in the area are linking the nine-county Bay Area to its neighboring counties, creating a mega-region that has been described as the area from Monterey to Auburn and Cloverdale to Modesto. The Committee supported the staff proposal and directed staff to invite representatives from Sacramento, San Joaquin and Monterey Counties to participate in RAPC's work.

At the March 28, 2008 meeting, RAPC staff presented several alternatives to the Committee on who could represent the three counties and what their roles would be on RAPC. The alternatives included inviting elected officials or airport directors, allowing them to vote, limiting their vote to only those issues that would directly affect their county or making them non-voting members. The Committee discussed the alternatives and some members felt that the extra-regional members should have full voting rights, while others did not support this approach. Regarding who should be appointed to RAPC, the general consensus from the Committee was that elected officials would be the most appropriate representatives, given the nature of the issues likely to arise, but that each county should determine the most appropriate representative. The Committee expressed concern over the long distances that these members would be required to travel and that if their attendance was not consistent, that the proposed change could make it difficult for RAPC to achieve a quorum.

Although the Committee raised many issues, the members all agreed that the extra-regional members should be invited and to that end RAPC directed staff to invite San Joaquin, Sacramento, and Monterey Counties to appoint a member to RAPC and allow the new members to participate in RAPC at first as non-voting members. The Committee discussed several options regarding voting rights for the new members to vote and agreed to revisit the issue with the new members participating in the discussion.

Since the March 28th RAPC meeting, staff sent out letters to the Boards of San Joaquin, Sacramento and Monterey Counties describing RAPC's work and requesting that each county appoint a member to sit on RAPC. The letter also invites them to the June 27, 2008 Committee meeting to participate in the discussion of amending RAPC's MOU to add these three new members. Sacramento and Monterey Counties have both appointed board members to serve on RAPC. In its letter, Sacramento County requests that both an elected official and the airport director from each county be appointed to RAPC, rather than the proposal to appoint only an elected official and have the airport director serve as the alternate. The letters of response from Sacramento and Monterey Counties can be found in Attachment A.

In addition to initiating contact with the three counties, staff has also prepared an amendment to RAPC's MOU that would add the three new members; and from Sacramento, Monterey and San Joaquin counties as non-voting members, increase the total RAPC membership to 22. The amendment also addresses the quorum concern by keeping RAPC's current quorum of 10 members, which is a simple majority of the nineteen members on RAPC, prior to adding the new members.

The amendment also proposes a change that is unrelated to the adding three extra-regional county members. This change would allow the three Bay Area commercial airports—SFO, OAK and SJC—to appoint an executive level staff person as an alternate. Due to the nature of the airport representation, staff feels that this would be consistent with the role that the airports play on RAPC as technical, executive-level staff. This is in contrast to the elected officials and members that are appointed by the partner agencies.

Staff requests that RAPC adopt the attached proposed amendment to the MOU. If RAPC approves this amendment to its MOU, staff will present the amendment to the three partner agencies—ABAG, BCDC and MTC—for approval by each Commission and signature of the three executive directors.



Regional Airport Planning Committee

MEMORANDUM OF UNDERSTANDING

Among
Association of Bay Area Governments
Metropolitan Transportation Commission
And
San Francisco Bay Conservation and Development Commission

This Memorandum of Understanding (MOU) is entered into by and between the Association of Bay Area Governments (ABAG), the San Francisco Bay Conservation and Development Commission (BCDC) and the Metropolitan Transportation Commission (MTC) (hereinafter collectively referred to as "the Parties" or individually as "the Party") in order to establish a cooperative process for regional airport planning in the nine county San Francisco Bay Area. This MOU supersedes a previously adopted MOU between ABAG and MTC dated July 14, 1971, amended on May 7, 2004, and any other agreement amongst the parties relating to the organization and structure of the Regional Airport Planning Committee.

I. Purpose

This MOU establishes a Regional Airport Planning Committee (RAPC) that is: (1) representative of the broad interests in air travel in the San Francisco Bay Area (Bay Area); (2) provides a cooperative process for the development of the Regional Airport System Planning Analysis (RASPA) for the Bay Area for consideration by the Parties to this MOU for incorporation into the plans of each Party; (3) provides a forum for public discussion of regional aviation issues; and (4) serves as an advisory committee to the parties to this MOU and makes recommendations to the governing boards of the parties to this MOU.

The parties to this MOU recognize:

1. the RASPA sets forth long-range system capacity needs for Bay Area airports, contains policies and suggestions for consideration by the commercial air carrier and general aviation airports, and evaluates alternative means to serve future aviation demand;
2. the RASPA is developed through a collaborative process and involves public input;
3. MTC includes various elements of the RASPA by reference as part of the long-range Regional Transportation Plan;

4. BCDC considers the results of the RASPA in updating and revising the San Francisco Bay Plan and acting on individual permits and Consistency Determinations for proposed projects within BCDC's jurisdiction;
5. ABAG utilizes the RASPA in addressing regional issues associated with noise impacts, land use conflicts and environmental considerations related to airports; and
6. responsibility for implementing RASPA recommendations lies with the Federal Aviation Administration, individual airports, and local jurisdictions.
7. The Parties to this MOU agree that each regional agency shall exercise responsibility for careful consideration and, when consistent with the statutory authority and policies of the regional agency, consider for incorporation the RASPA as they apply to the respective agencies' jurisdiction and authority.

II. General Authority and Responsibility of the Parties

ABAG

- Conducts long-range regional land use planning for the Bay Area.
- Prepares and adopts the long-range demographic and economic forecast for the Bay Area.
- Provides Intergovernmental Review of qualifying aviation projects under Federal Executive Order 12372, including providing a forum for the resolution of land use conflicts.
- Reviews proposed projects for consistency with regional plans and programs.
- Comments, when appropriate, on land use and transportation actions potentially affecting airports and surrounding communities.
- Works with Airport Land Use Commissions, cities, and counties to strengthen land use planning around airports.
- Studies man-made and natural disaster preparedness and mitigation as they relate to airports.
- Reviews and makes recommendations on legislation affecting airports.
- Advocates for legislation to improve the aviation planning process and to address the impact of aviation on land use, the environment and neighboring communities.

MTC

- Prepares and adopts the Regional Transportation Plan for the Bay Area, which describes travel conditions and recommended surface transportation improvements.
- After completion of the RASPA by RAPC, considers for incorporation as appropriate elements of the RASPA into the Regional Transportation Plan consistent with Section 65080(a) of the California Government Code.
- Includes an airport ground access improvement program in the Regional Transportation Plan as required by Section 65081.1 of the California Government Code.
- Reviews transportation projects for consistency with the Regional Transportation Plan.
- Programs and approves transportation funds for highway, transit, bicycle and pedestrian improvement projects included in the Regional Transportation Plan.
- Allocates certain federal and state funds to Bay Area transit operators.
- Reviews and makes recommendations on legislation affecting airports.

- Advocates for new transportation funding and supports legislation to improve the regional transportation planning process.

BCDC

- Exercises jurisdiction over San Francisco Bay, a shoreline band extending inland 100 feet and parallel to the Bay, salt ponds, wetlands diked off from the Bay and managed as duck clubs, and certain tributary waterways.
- Through a permit system, regulates all filling, dredging and substantial change in use of any water, land or structure within its jurisdiction.
- Issues permits for projects that are consistent with BCDC's law, the McAteer-Petris Act, and the Suisun Marsh Preservation Act of 1977 and the provisions of the San Francisco Bay Plan and the Suisun Marsh Protection Plan.
- Administers the federal Coastal Zone Management Act within the San Francisco Bay segment of the California Coastal zone to assure that federal activities reflect BCDC policies.
- Prepares and maintains the San Francisco Bay Plan, which contains policies and shoreline land use designations for the conservation of the water of the Bay and the development of its shoreline, including policies on airports and shoreline airport priority use designations.
- Gives careful consideration to the conclusions and suggestions of the RASPA to keep the San Francisco Bay Plan airport policies and airport priority use area designations current.

III. Membership and Structure, Staffing, and Role of RAPC

A. Membership and Structure

1. RAPC shall consist of ~~19~~ 22 members, as follows:

- a. Each Party to this MOU shall appoint three (3) members. While each of the three governing bodies retains its authority to make appointments, the governing bodies agree, in principal, to consider geographic balance in their appointment process.
- b. The Chair, with the concurrence of the members of the Parties on RAPC, shall request three (3) Bay Area counties or cities, or combination thereof, not currently represented on RAPC, to appoint a member from each of their respective Board of Supervisors or City Council as At-Large members. At-Large members may not serve as Chair or Vice-Chair of RAPC.
- c. Each of the following shall be requested to appoint one (1) member from their respective boards: the Bay Area Air Quality Management District, the San Francisco International Airport, the Mineta-San Jose International Airport, and the Oakland International Airport. The San Francisco International Airport, the Mineta-San Jose Airport, and the Oakland International Airport shall also have the option to appoint an executive level staff person as an alternate to serve when the primary member is absent. This alternate shall have all of the same rights and privileges as the primary member.
- d. The managing agencies of each of the general aviation airports in the Bay Area shall collectively be requested to appoint one (1) member representing the General Aviation airports.
- e. The California Department of Transportation (Caltrans) Division of Aeronautics shall be requested to appoint one Ex-Officio, non-voting member.
- f. The Federal Aviation Administration shall be requested to appoint one Ex-Officio, non-voting member.

- g. The Sacramento County Board of Supervisors, the San Joaquin County Board of Supervisors and the Monterey Peninsula Airport Board of Directors shall be requested to appoint one Ex-Officio (1) non-voting member from each of their respective boards. The Sacramento County Board of Supervisors, the San Joaquin County Board of Supervisors and the Monterey Peninsula Airport Board of Directors shall also have the option to appoint an alternate either from their respective boards or the director of the airport in their respective counties—Sacramento International Airport, Monterey Peninsula Airport and Stockton Metropolitan Airport.
2. Members shall serve at the discretion of their appointing or recommending agency for such time as they are a member of the appointing or recommending agency.
 3. RAPC shall meet quarterly unless the Committee determines that more frequent meetings are needed. The Chair may cancel meetings if there are no items requiring action or review by RAPC.
 4. ~~4.~~—A Chairperson and Vice-Chairperson shall be elected from among those Members representing the Parties to this MOU and each shall serve a 2-year term unless their term is terminated by their respective appointing agency. The Chair and Vice-Chair shall be elected at the April meeting of the year in which the 2-year terms expire and the positions shall be rotated among the Parties to this MOU. The Chair and Vice-Chair shall be from different agencies and if possible, the Vice-Chair shall assume the position of Chair after the Chair's term expires. The first election under this MOU shall be held at the April 2006 RAPC meeting.
 5. A quorum shall consist of ten (10) members.

B. Staffing

Each of the Parties to this MOU will make a good faith effort to assign adequate resources to staff RAPC at a level that is consistent with the latest adopted Work Plan.

In general, staff assignments will be made based on each agency's expertise and staffing capability. Administrative functions of RAPC will be rotated among staff, consistent with the Chair of RAPC at that time, but may be re-assigned with the concurrence of the Parties based on the ability of an Agency to adequately support the administrative activities. Key administrative functions include making arrangements for meetings, assembling material to distribute to the Committee, and preparing minutes of meetings. Staff preparing the agenda will ensure that each agency has input into the agenda for the next meeting and is allowed to comment on key staff reports before distribution.

C. Role

RAPC's responsibilities shall include the following types of activities, any one of which may have more or less emphasis at a particular point in time:

1. Serve as a public forum for a wide range of regional aviation issues;
2. Prepare updates to the Regional Airport System Planning Analysis (RASPA), including its various elements:
 - Aviation policies related to each Party's authority
 - Aviation Forecasts
 - Analysis of airport system capacity needs, including ground access capacity
 - Alternatives for serving identified future capacity needs

- Environmental analysis (aircraft noise, air quality, Bay fill and Bay habitat, etc.) and possible mitigation measures
 - Suggestions for consideration by entities responsible for implementing airport improvements in the Bay Area and its neighboring counties;
3. Serve as a forum for educating the public and addressing community concerns with over flight noise issues; review proposed changes in FAA airspace procedures that could affect over flight noise in communities;
 4. Review and comment on airport master plans, airport runway layout plans, associated Environmental Impact Reports, and local land use planning and development decisions as to their impact on the regional aviation system;
 5. Coordinate with county Airport Land Use Commissions on review of projects that could affect the future operational capability of an airport;
 6. Facilitate discussions between cities, airports and County Airport Land Use Commissions on long-term trends in land use around airports;
 7. Conduct other studies, as necessary, that relate to the Regional Airport System Planning Analysis; ~~and~~
 8. Recommend actions or positions to the governing bodies of Parties to this MOU; and;
 9. Support regional and local land use decision-making that protects the regional airport system.

IV. Work Plan

Periodically, RAPC will develop a work plan that outlines the activities of the committee over a specified period of time. The work plan will be developed jointly by the Parties to this MOU and will be presented and approved by RAPC. The Work Plan will outline the work tasks, responsibility for carrying out specific tasks, timeframe for task completion, and resources required (staff time and external funding). Any revisions to the work plan shall be formally presented and approved by RAPC.

The Parties to this MOU will consult with each other in the development of the criteria for retaining consultants to assist RAPC with the Work Plan and in the selection of the consultant. The Party to this MOU providing the funding for the consultant shall be responsible for the ultimate selection and contracting arrangements with the consultant.

V. Submission of the RASPA

Once the Regional Airport Planning Committee has completed an update of the Regional Airport System Planning Analysis, the RASPA will be submitted to the governing boards of the Parties to this MOU for a 60-day review period. If there are no requested revisions or clarifications, the Parties may proceed to use the RASPA consistent with their statutory authority. If, within the 60-day review period, any of the Parties requests a revision or clarification to the RASPA, RAPC will consider the request and notify the Parties of the outcome. Each Party may then proceed to use the RASPA as it deems appropriate.

VI. Duration of MOU

Once adopted by the three regional agencies, this MOU will remain in effect unless subsequent modifications are requested and approved by each of the Parties to the MOU. This MOU is voluntary and any party may withdraw from the MOU upon written notification to the other Parties.

VII. No Rights for Non-Parties

No privileges or rights are created or are intended to be created by the MOU for the benefit of anyone not a signatory of this MOU excepting only those Parties granted the rights to appoint a Member to the RAPC.

Signatures of Agency Officials:

Association of Bay Area Governments

By: _____, Executive Director

Date: _____

Bay Conservation and Development Commission

By: _____, Executive Director

Date: _____

Metropolitan Transportation Commission

By: _____, Executive Director

Date: _____

**CHAIRMAN
BOARD OF SUPERVISORS
COUNTY OF SACRAMENTO**

700 H Street, Suite 2450
Sacramento, CA 95814
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**JIMMIE R. YEE
SUPERVISOR
SECOND DISTRICT**

**ART GEE
Chief of Staff**

May 5, 2008

Mr. Richard A. Garbarino, Chair
Regional Airport Planning Committee
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

RE: Invitation to the Bay Area Regional Airport Planning Committee (RAPC)

Dear Chairman Garbarino:

Thank you for inviting the Sacramento County Board of Supervisors to appoint one of its members to the San Francisco Bay Area's Regional Airport Planning Committee (RAPC).

It demonstrates considerable foresight to include Monterey, Stockton, and Sacramento Airports in the process of addressing infrastructure constraints facing Bay-Area airports. We welcome the opportunity to join the endeavor.

It is our understanding that other counties participating in the RAPC have both an elected official and an airport representative involved in this long-range planning effort. We are aware that our Director of Airports, Mr. G. Hardy Acree, has discussed this point with your staff. In support of this, I would request that the Committee extend the invitation to include our Director of Airports, as it has for San Francisco International, Oakland International, and Mineta-San Jose International.

With its extensive airport assets, the County of Sacramento could be quite helpful in accommodating the forecasted increase of passenger and cargo activity in Northern California. Through our comprehensive master planning and our Terminal Modernization Plan at Sacramento International Airport, we have positioned ourselves to better serve the growing demand for air travel in the region.


Letter-Richard A. Garbarino, RAPC

May 5, 2008

Page 2 of 2

We thank you for your consideration.

Sincerely,



JIMMIE R. YEE, CHAIR

Supervisor, District 2

cc: Members, Board of Supervisors
Terry Schutten, County Executive
G. Hardy Acree, Director of Airports

RECEIVED

MAY 8 - 2008

Director's Office
Sacramento County Airport System



Monterey Peninsula Airport District

200 Fred Kane Drive, Suite 200
Monterey, California 93940
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JUN 5 2008

SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

May 23, 2008

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Robert DeVoe
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Leonard McIntosh
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William Sabo
Richard Searle

Executive Staff

Thomas Greer, AAE
General Manager
Charles Hayes
District Secretary
David Willoughby
District Counsel

Mr. Richard A. Garbarino, Chair
Regional Airport Planning Committee
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

Dear Mr. Garbarino,

This is in response to your letter, April 28, 2008, inviting the Monterey Peninsula Airport District (MPAD) Board of Directors to appoint a member to sit on the San Francisco Bay Area's Regional Airport Planning Committee (RAPC). Thank you for your letter and the invitation to participate on the Committee. At its regular meeting on May 14, 2008, the MPAD Board voted unanimously to accept your invitation and to submit the names of two of our Directors, a member and an alternate, for your consideration. Director Carl Miller is the member nomination and Director Bill Sabo is the alternate.

The Board is intrigued with the issues being addressed by RAPC and looks forward to participating in the discussions.

Thank you again for the invitation.

Sincerely,

Robert DeVoe, Chair
Monterey Peninsula Airport District

cc: Supervisor Fernando Armento
Airport Board of Directors